

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

x	
EDA M. DUSHALLARI, et al.,	:
	:
Plaintiffs,	:
-against-	:
	:
GOVERNMENT OF ALBANIA, MINISTRY OF	:
JUSTICE, GENC POLLO, ZV.K. Minister, and	:
ENKELEID ALIBEJ, Minister,	:
	:
Defendants.	:
	x

ALVIN K. HELLERSTEIN, U.S.D.J.:

ORDER OF FINAL DISMISSAL

08 Civ. 9489 (AKH)

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On December 4, 2008, I dismissed this case, with prejudice, as to the Government of Albania and Ministry of Justice, pursuant to the Foreign Sovereign Immunities Act (FSIA), 28 U.S.C. § 1602 et seq. I also dismissed the case as to the two individual ministers named as defendants, for failure to comply with Fed. R. Civ. P. 8, but without prejudice. I noted, however, that these defendants may be similarly immune under FSIA.

Plaintiff, who is proceeding pro se, has submitted additional materials in support of her case. These submissions again fail to comply with Fed. R. Civ. P. 8, which requires “a short and plain statement of the claim showing that the pleader is entitled to relief.” See, e.g., Salahuddin v. Cuomo, 861 F.2d 40, 42 (2d Cir. 1988). It now appears, however, that the individual ministers acted in their official governmental capacity, and so enjoy immunity under FSIA. See In re Terrorist Attacks on September 11, 2001, 538 F.3d 71, 81 (2d Cir. 2008). Accordingly, I dismiss the case, with prejudice, as to the remaining individual defendants. The Clerk shall mark the case as closed, and accept no further submissions from Plaintiff in this case.

SO ORDERED.

Dated: February 26, 2009
New York, New York



ALVIN K. HELLERSTEIN
United States District Judge